

STATE OF VERMONT
DEPARTMENT OF HEALTH
BOARD OF MEDICAL PRACTICE

In the Matter of:
Richard K. Hacker, M.D.

**STIPULATION AND ORDER
REGARDING ISSUANCE OF
CONDITIONAL LICENSE
TO PRACTICE MEDICINE IN VERMONT**

Richard K. Hacker, M.D., ("Dr. Hacker" or "Respondent") and the Vermont Board of Medical Practice hereby stipulate and agree as follows:


1. Richard K. Hacker, M.D., of Peterborough, N.H., has applied for a license to practice medicine in Vermont as a physician.
2. While licensed to practice medicine in New Hampshire, Dr. Hacker entered into a Settlement Agreement which was accepted by the New Hampshire Board of Medicine on August 11, 2003 and amended by Order of that Board on February 17, 2004. See Attachments A and B, incorporated by reference into this Stipulation and Order.
3. The Settlement Agreement and Order resulted from allegations that Dr. Hacker had engaged in boundary violations while providing medical care to a female patient in 2001.
4. The Settlement Agreement provided that Dr. Hacker's N.H. license would be suspended for six (6) months, with five (5) months stayed, commencing September 10, 2003; that Dr. Hacker would pay an administrative fine of \$2000.00; that Dr. Hacker would meaningfully participate in a program of 16 hours of continuing medical education to address the issue of sexual boundaries; that Dr. Hacker would furnish a copy of the N.H. Settlement Agreement to any current medical employer and any agency or authority which licenses Dr. Hacker as a physician; and that, for one (1) year from the date of the Settlement Agreement, Dr. Hacker had to furnish a copy of the Agreement to any medical employer. See pages 3-5 of Attachment A, the Settlement Agreement.
5. The Settlement Agreement also contained provisions pertaining to Dr. Hacker's practice, conditions which were amended by the N.H. Board's February 17, 2004 Order.
6. The amended N.H. Agreement regarding Dr. Hacker's practice provides as follows (additional language underlined, deleted language in strikeout type):

Respondent's license to practice medicine is RESTRICTED to a hospital setting or group practice for a period of two (2) years, commencing from the effective date of this Settlement Agreement. During this period, Respondent shall submit to the supervision of ~~Mark Parker, M.D., the Medical Director of the Emergency Care Center of Cheshire Medical Center the~~ department chairman. Conditions of the supervision shall include:

1. Respondent shall only ~~provide treatment to perform breast, pelvic, or anal examinations upon~~ female patients while chaperoned by a member of the hospital or practice staff; and
2. The supervisor shall submit quarterly reports to the Board, under seal, addressing Respondent's compliance with and attitude toward the supervision.
7. Dr. Hacker wishes to be employed as an emergency room physician at North Country Hospital, Newport, Vermont.
8. North Country Hospital is aware of the N.H. Settlement Agreement and Order. See Attachment C, June 3, 2004 letter from President/CEO Karen A. Weller.
9. Dr. Hacker is agreeable to conditions which are similar to those contained in the N.H. Settlement Agreement (as amended) being placed on his license to practice medicine in Vermont.

WHEREFORE, the Vermont Board of Medical Practice hereby grants Dr. Hacker a license to practice medicine in Vermont subject to the following conditions which are fully accepted by Dr. Hacker:

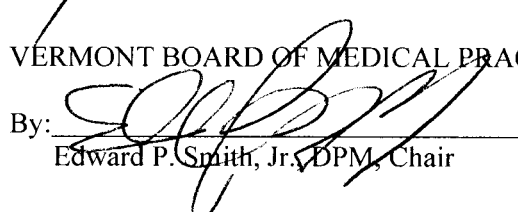
1. Dr. Hacker's license to practice medicine is restricted to a hospital emergency room for a period of two (2) years, commencing from the effective date of this Order issuing his license;
2. During this period, Dr. Hacker shall submit to the supervision of the hospital's emergency room director;
3. Dr. Hacker shall only perform breast, pelvic, or anal examinations upon female patients while chaperoned by a member of the hospital staff;
4. Dr. Hacker is responsible for seeing that his supervisor submits quarterly reports to the Vermont Board of Medical Practice addressing his compliance with and attitude toward the supervision.
5. If Dr. Hacker wishes to practice in another setting in Vermont, he must first petition the Vermont Board of Medical Practice for an amendment to this Order.


Richard K. Hacker, M.D.
6/16/04
Date

ORDER

SO ORDERED this 7th day of July, 2004.

VERMONT BOARD OF MEDICAL PRACTICE

By: 
Edward P. Smith, Jr., DPM, Chair